

REMARKS

Claims 1-35 are pending in this application after this Amendment. Claims 1, 6, and 19 are independent. In light of the amendments and remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner objected to claim 29; rejected claims 30-33 under 35 U.S.C. §112, second paragraph; rejected claims 1-3, 5-8, 11, 12, 19-21 and 24-29 under 35 U.S.C. § 103(a) as being unpatentable over *Nishimura et al.* (USP 5,412,487) in view of *Suzuki* (JP 09-116792) and further in view of *Zamir* (USP 6,300,955); rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over *Nishimura et al.* in view of *Suzuki*, *Zamir*, and *Maurinus* (USP 6,222,646); rejected claims 9, 13, and 16 under 35 U.S.C. § 103(a) as being unpatentable over *Nishimura et al.* in view of *Suzuki*, *Zamir*, and *Shiota* (USP 6,011,547); rejected claims 10 and 18 under 35 U.S.C. § 103(a) as being unpatentable over *Nishimura et al.* in view of *Suzuki*, *Zamir*, and *Hirose* (USP 5,838,371); rejected claims 14 and 15 under 35 U.S.C. § 103(a) as being unpatentable over *Nishimura et al.* in view of *Suzuki*, *Zamir*, *Shiota*, and *Nagasaki* (USP 6,317,156); rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over *Nishimura et al.*, *Suzuki*, *Zamir*, *Shiota*, and *Hirose*; rejected claims 22-23 under 35 U.S.C. § 103(a) as being unpatentable over *Nishimura et al.*, in view of *Suzuki*, *Zamir*, and *Yamamoto* (USP 6,040,825); rejected

claims 30-31 under 35 U.S.C. § 103(a) as being unpatentable over *Nishimura et al.* in view of *Suzuki, Zamir, and Takagi* (USP 5,319,416); and rejected claims 32-33 under 35 U.S.C. § 103(a) as being unpatentable over *Nishimura et al.* in view of *Suzuki, Zamir, and Omata et al.* (USP 6,067,114). Applicants respectfully traverse these rejections.

#### **Claim Objections**

In response to the Examiner's objection to claim 29, Applicants have amended claim 29 to recite "the captured image." Based upon this amendment, it is respectfully requested that the outstanding objection be withdrawn.

#### **Claim Rejections - 35 U.S.C. § 112**

With regard to the Examiner's rejection of claims 30-33 under 35 U.S.C. § 112, second paragraph, Applicants have amended these claims to correct the antecedent error. Based upon these amendments, it is respectfully requested that the outstanding rejection be withdrawn.

#### **Claim Rejections - 35 U.S.C. § 103 - *Nishimura et al./Suzuki/Zamir***

The Examiner relies on *Nishimura et al.* as the primary reference in support of his rejection of claim 1 under 35 U.S.C. § 103. The disclosure of *Nishimura et al.* is directed to a video camera and an apparatus for extracting an object from a video signal.

Specifically, *Nishimura et al.* teaches at col. 5, line 54 - col. 6, line 6, as follows:

The control circuit 4 via the microcomputer 106 sets up parameters or conditions for extracting an object from the object information obtained from the sampling circuit 118 and outputs the information of extracting parameters or conditions to the extractor circuit 4. Thereupon, the extractor circuit 3 extracts the designated object from the digital video signal and outputs the information as the result of extraction to the control circuit 4. The control circuit 4 via the microcomputer 106, on the basis of the information as the result of extraction, determines the shape, position, size, etc. of the designated object and outputs a control signal for bringing the designated object into focus to the in-focus control circuit 140. Then, the in-focus control circuit 140, in accordance with the control signal, based on the object data, output from the control circuit 120, controls the lens 7 so that the portion of the designated object extracted by the extractor circuit 3 is brought into focus. Thus, it is ensured that the object designated by the camera operator can be brought into focus without fail.

By this Amendment, Applicants have amended claim 1 to recite, *inter alia*, a camera for recording a captured image on a recording medium in accordance with an instruction from a recording instruction device, wherein a still image captured by the imaging part is recorded on the recording medium, with the positional information of the principal subject, after the principal subject is determined. It is respectfully noted that the camera as taught by *Nishimura et al.* is directed to a video camera. *Nishimura et al.* seek to extract an object from the video signal so that the camera operator can ensure that the object designated can be brought into

focus (col. 6, lines 1-6). Modifying the *Nishimura et al.* reference as suggested by the Examiner would fail to render claim 1 obvious as the combination of the references would fail to teach or suggest that a still image captured by the imaging part is recorded on the recording medium, with the positional information of the principal subject, after the principal subject is determined. As such, it is respectfully submitted that claim 1 is not obvious over the references cited by the Examiner.

It is respectfully submitted that claims 2-5, 13-18, and 20-33 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1.

It is further respectfully submitted that new claims 34 and 35 contain elements similar to those discussed above with regard to claim 1 and, thus, claims 34 and 35 are allowable over the references as cited by the Examiner.

**Claim Rejections - 35 U.S.C. § 103 -  
*Nishimura et al./Suzuki/Zamir/Takagi***

With regard to the Examiner's rejection of claim 30, the Examiner admits that *Nishimura et al.* is silent with regard to averaging photometry values determined with respect to each of a plurality of subject areas in order to produce an exposure value. The Examiner relies on the teachings of *Takagi* to cure the deficiencies of the teachings of *Nishimura et al.* However, the Examiner fails to provide any reference that teaches or suggests

designating a plurality of subjects on the display part. It is respectfully submitted that none of the references cited by the Examiner teach or suggest this element.

The disclosure of *Takagi* is directed to an exposure calculation device for a camera which calculates a correct exposure for a principal object in a field on the basis of the photometry output of a selected photometer element (Abstract). There is no teaching in *Takagi* that is directed to designating a plurality of subjects on the display part. Further, none of the other references cited, either alone or in combination (assuming these references are combinable, which Applicants do not admit), teach or suggest this claimed element. As such, it is respectfully submitted that claim 30 is not obvious over the references as cited by the Examiner. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 31-33 contain elements similar to those discussed above with regard to claim 30 and, thus, these claims are allowable for the same reasons noted above.

**Claim Rejections - 35 U.S.C. § 103 -  
*Nishimura et al./Suzuki/Zamir/Omata et al.***

With regard to the Examiner's rejection of claim 32, the Examiner admits that *Nishimura et al.* is silent with regard to increasing a weight associated with a plurality of principal

subjects while decreasing a weight associated with other areas in calculating an exposure value. However, the Examiner fails to provide any references that teach or suggest designating a plurality of subjects on the display part.

It is respectfully submitted that the disclosure of *Omata et al.* is directed to detecting compositional change in an image. A screen image is divided into a plurality of subdivision areas and the system then calculates for the respective subdivision areas a focus evaluation value representative of a high frequency component contained in the electrical signal and a brightness value representative of a brightness of the image (Abstract). However, there is no teaching or suggestion in *Omata et al.* that is directed to designating a plurality of subjects on the display part as recited in claim 32. As such, *Omata et al.* fails to cure the deficiencies of the teachings of *Nishimura et al.* as *Omata et al.* fails to teach or suggest this claim element. As the Examiner has failed to provide references that teach or suggest all of the claimed elements, it is respectfully submitted that claim 32 is not obvious over the references as cited. As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claim 33 contains elements similar to those discussed above with regard to claim 32 and, thus, claim 33 is allowable for the reasons set forth above.

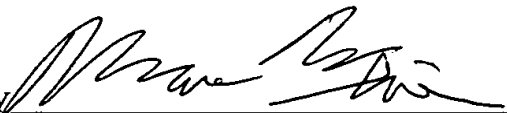
Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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